

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

WILLIAM JAMES)
Plaintiff)
VS.) Case No. 6:21-cv-03163
MENARD, INC. d/b/a MENARDS)
Defendant) JURY TRIAL DEMANDED

COMPLAINT

PLAINTIFF, by counsel, sets forth his Complaint against Defendant as follows:

1. This cause of action is brought pursuant to the Family and Medical Leave Act (FMLA).
2. The events giving rise to this cause of action occurred within the geographical jurisdiction of the Western District of Missouri.
3. Defendant is a corporation doing business in Greene County, Missouri.
4. Plaintiff was an employee of Defendant in Greene County, Missouri.
5. On or about July 1, 2020 Plaintiff requested leave from employment in order to seek care for breathing problems.
6. Plaintiff's medical leave would have qualified for leave under FMLA.
7. Prior to taking the above-stated leave, Plaintiff had worked for Defendant for at least 1,250 hours over the previous calendar year.
8. As of July 1, 2020 Defendant employed at least 50 people within 75 miles of the location where Plaintiff worked for Defendant.
9. As of July 1, 2020 Plaintiff had been employed by Defendant for at least 12 months.
10. Defendant terminated Plaintiff's employment on or about August 1, 2020.
11. Plaintiff was or would have been on FMLA-qualified leave at the time his employment was terminated.
12. Defendant failed to provide Plaintiff a timely notice of his eligibility for FMLA leave.

13. Defendant failed to allow Plaintiff a reasonable amount of time to provide Defendant with FMLA related paperwork and documentation from his healthcare provider.
14. Defendant's actions were a violation of one or more of Plaintiff's rights under FMLA.
15. Defendant's actions were willful and with knowledge that their actions were in violation of Plaintiff's rights under FMLA.
16. As a result of Defendant's actions, Plaintiff has been damaged.
17. Plaintiff demands a Trial by Jury on all matters so triable.

WHEREFORE Plaintiff prays the Court for judgment against Defendant for Plaintiff's damages, attorney fees, costs, punitive damages, liquidated damages, and such other and further relief as is just and proper.

LAMPERT LAW OFFICE, LLC

By:/s/ Raymond Lampert
Raymond Lampert, #57567
2847 S. Ingram Mill Rd., Ste A-100
Springfield, MO 65804
Phone: (417) 886-3330
Fax: (417) 886-8186
ray@lampertlaw.net
Attorney for Plaintiff